IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO.45 OF 2004

Naibunnisa Shamsul Haque ...Petitioner
Vs.
Kumari Tahirakhatoon Shamsul Haque & Anr....Defendants

Mr.Harish Pawar for Petitioner

CORAM: SMT. ROSHAN DALVI, J.
DATED: 10TH JANUARY, 2007

P.C.

1. The Petitioner is the mother of the Respondents. Her husband has expired. His provident fund and other dues aggregating to Rs.72480/- are lying to the credit of his provident fund account of the Provident Fund Commissioner. Each of these parties are entitled to 1/3rd of the amount. The 1/3rd share of the Petitioner/mother has already been withdrawn. The 2/3rd share of the two minor children is lying unwithdrawn. The Petitioner has applied for Guardianship Certificate and for an order for forwarding the dues payable to her children to the Accounts Officer, High Court, Bombay. She has also applied for being allowed to withdraw the said amounts.

2. The Petitioner is appointed Guardian of the minor Respondents who are her children as per prayer clause (a) of the Petition.

3. The Regional Provident Fund Commissioner, Bombay shall forward the dues of Rs.72480/- along with interest if any accrued thereon to the Accounts Officer, High Court,

Bombay as per prayer clause (b) of the Petition.

4. The Accounts Officer, High Court Bombay shall invest a sum of Rs.72,000/- in two separate Fixed Deposit Receipts of Rs.36000/- each in the names of 2 minor children. The Accounts Officer shall allow the Petitioner to withdraw Rs.480/- along with whatever additional interest that may have accrued for the sum of Rs.72480/- lying to the credit of the account of her husband with the Regional Provident Fund Commissioner.

5. The Accounts Officer shall also allow the Petitioner to withdraw the interest amount that accrues upon the FDRs every quarter.

. The Petition is disposed of accordingly.

(SMT. ROSHAN DALVI, J.)